IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI JUSTICE S.ANANDA REDDY
WRIT PETITION NO : 9185 of 1997

Between:
K, NarayanaGoud, s/o. Narasa Goud,
O/o. Branch Library, Bodh, Adilabad District,
Pin; 504304.

..... PETITIONER

AND

1. The Director of Public Libraries, Afzalgunj, Hyderabad - 12, A.P.,
   (in the premises of Central Library).
2. The Secretary, Zilla Grandhalaya Samstha,
   Nethaji Chowk, Adilabad District, Andhra pradesh.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pleased to issue an appropriate writ or order or direction under Article 226 of the Constitution of India, particularly one in the nature of writ of Mandamus, directing the respondents herein to consider the petitioner for the post of Attender in view of his experience and educational qualifications after calling for the records.

Counsel for the Petitioner: MR. PRATTIPATI VENKATESWARLU

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following:

ORDER

This writ petition is filed by the petitioner seeking writ of Mandamus directing the respondents to consider his case for appointment as Attender in view of his experience and educational qualifications.

2. According to the petitioner, he studied upto X Class and, he was originally appointed as Rickshaw Puller on 16-12-1980 by the second respondent and he was working in Nirmal Library. Subsequently, on 27-01-1987, he was appointed as fulltime watchman on temporary basis and posted at Branch Library Luxettipet. It is stated that the petitioner has been continuing in the said post. The respondents are not even paying the regular scale of pay attached to the said post and are only paying the minimum wages as notified i.e. about Rs.40/- per day or Rs.1,200/- per month even though the petitioner has been working as fulltime watchman since 1987. It is stated that the post of Attender was vacant in Zilla Grandhalaya Samastha at Adilabad District. Therefore, the petitioner made a representation dated 04-11-1996 for consideration of his candidature for appointment in the said post in view of his experience and educational qualifications. But the respondents did not consider his representation so far. Therefore, the petitioner has come up with the present writ petition.

3. Though this writ petition is pending for the last more than seven years, the respondents did not file any counter and the matter is posted today for hearing. None appears for the respondents. Therefore, in view of the facts stated, the writ petition is disposed of on merits.

4. The order produced by the petitioner itself shows that he was appointed as fulltime watchman, as early as on 27-01-1987, and. therefore, he is entitled for regularization of his services in the said post;

or if a post of Attender is vacant, his representation has to be considered by the respondents taking into consideration of his age eligibility and suitability and pass appropriate orders. The respondents are, therefore, directed to pass appropriate orders. In case the petitioner is not entitled to be considered for being appointed as Attender, the respondents have to pay regular scale of pay of the post of watchman, in which he was appointed in the year 1987 and continue as such. The said exercise is directed to be completed within a period of two months from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. No costs.

S.ANANDA REDDY, J

Dt.23-09-2004
Glv/kvh

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copies to
1. The Director of Public Libraries, Afzalgunj, Hyderabad - 12, A.P., (in the premises of Central Library).
2. The Secretary, Zilla Grandhalaya Samstha, Nethaji Chowk, Adilabad District, Andhra pradesh.
3. Two CCs to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad. (OUT)
4. Two CD copies.